

2. The Petitioner and Respondent Have the Right to Have an Advocate



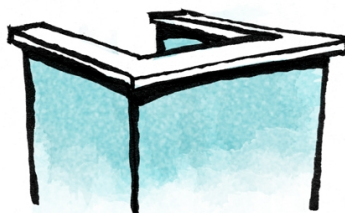
You don't have to be all alone in this process. Almost all American Tribunals have on-staff canon lawyers (advocates) or specially trained people to assist petitioners and respondents in the process. Most cases seen by Tribunals don't typically require the use of advocates, and you are free to utilize or decline their service*. Among other things, advocates explain the process, can give you legal guidance in how to formulate your position for the annulment case, keep you updated on the progress of your case, and write legal briefs on your behalf. While most cases are processed by the Tribunal with no special problems, sometimes the help of a trained canon lawyer can make the difference between a negative decision (meaning the marriage is not proven to be invalid) and an affirmative decision.

One thing to watch out for is not to confuse the local pastor or volunteer "parish advocate" or "submitting minister" who might initially help you fill out your application forms with a licensed advocate or canon lawyer. Such people can help you fill out your application forms, but they are not able to legally fight for you or represent you the way all the way through the process like a licensed canon lawyer can before the Church's Court (Tribunal).

You always have the right to privately hire a canon lawyer or a team of canon lawyers to work on your behalf in your marriage nullity case. Most canon lawyers are licensed to practice anywhere in the world except at the highest Tribunals in the Vatican. Sometimes

people feel it is easier to hire someone from a different location to get an outside opinion or guidance on their case. However, it should be noted that in-house canon lawyers at the Tribunal are bound to work for interests of the petitioner or respondent respectively without bias insofar as is compatible with the facts of the case (all officials of the Tribunal are obliged to seek the truth of the matter).

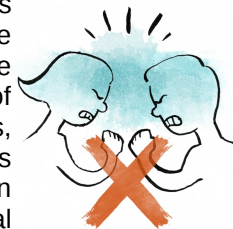
3. Solid Witness Testimony is Important



The Tribunal usually cannot issue a declaration of nullity based only on your claims if you are the petitioner, or even on the testimony of both you and the respondent. Proof from third party witnesses is normally an essential part of overturning the legal presumption of a valid marriage. The annulment process can get stalled or snagged when there isn't enough solid testimony from witnesses. Long delays in the process (sometimes lasting months or years) frequently happen when witnesses do not respond by the deadlines or if they give irrelevant testimony.

4. The Parties and Witnesses Do NOT Confront Each Other at the Tribunal

The annulment trial does not take place the same way a civil divorce proceeding does. Instead of assembling the judges, notaries, advocates, parties and witnesses all together in a courtroom, the Tribunal conducts its process privately and usually on a one-on-one basis. That is to say, if you are called for an interview or to give testimony, you will usually meet privately with a Judge or an interviewer. The advocate(s) and the notary may also be present in this meeting. You will not encounter the other party or other witnesses in the case because they will have separate appointments. Even though you won't encounter the Respondent or witnesses, you will be able to view their testimony at the Tribunal and have the opportunity to clarify things or make rebuttals to their claims before the Judge(s) come to a final decision.



* The services of on-staff Advocates in the Tribunal are covered by the fee assessed by the Tribunal for processing a marriage nullity case. This charge typically runs from \$500-\$1,500 and covers part of the office rent, salaries of Tribunal professionals such as the Judges, Advocates, Notaries, transcriptionists, and other expenses. Those who cannot afford this fee are not turned away as they may request a reduced fee or total waiver. The fee is relatively inexpensive in comparison to the civil divorce court costs, and usually falls short of actual costs which are then subsidized by the diocese.

5. Writers Block Slows or Halts the Process



The biggest obstacle people face when preparing their paperwork for the Tribunal is writers block. Most application forms require answering several pages of questions and also attaching a long (5-15 page) Personal History Essay. This essay helps the Tribunal understand your life-context and that of your spouse when you seek a declaration of nullity, and it can help pinpoint potential supporting factors for nullity.

You Can do It!

For help in filing your cause of nullity before your Tribunal, contact your pastor or local (Arch) Diocesan Tribunal.

- ◆ **Need An Experienced Canon Lawyer?** If you would like to retain an experienced canon lawyer who has been on both sides of the bench as a Judge and as an Advocate, call Annulment Pros, LLC for a free 45 minute initial consultation. We can help you start your case and accompany you through each stage of the process. We can provide you services at any point during the process.
- ◆ **Need Help Proving Your Case or Want a Second Opinion?** If you have already filed for an annulment, but are confused about the process, need help proving your case,

or want a second opinion, contact Annulment Pros, LLC immediately at 1-800-577-6760 or at AnnulmentPros.com.

- ◆ **Paralyzed by Writers Block?** Our Easy Personal History by Telephone Service is just the ticket for you! Contact us to set up an easy telephone appointment so you can pick up the phone and our friendly interviewers will write up your Personal History essay and have it delivered to your door in no time flat!
- ◆ **Are Your Witnesses Struggling?** Witnesses also suffer from writers block, especially if they are mailed several pages of questions to answer by the Tribunal. Ask us about our Easy Witness Testimony by Telephone Service today!

Annulment Pros, LLC, is run by experienced licensed canon lawyers (Catholic Church attorneys trained in the marriage laws of the Church) in private practice. Services include advocacy in marriage cases, assistance in formulating the Personal History, gathering witness testimony the easy way, etc.

For further information please contact us at:

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 **Annulment
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5 Surprising Facts You Should Know Before Applying for An Annulment

1. The Catholic Church does not Rubber Stamp Annulment Applications



Why? Because the application is not just an 'application' -- it is the form used to initiate a formal trial process within the Church's legal system. The Church presumes all marriages to be valid and it is up to you, the Petitioner (the one filing the annulment application forms and documents) to provide enough proof of invalidity to overturn this presumption of validity. You can usually obtain an annulment by selecting the appropriate legal grounds (reasons) for invalidity, providing *sufficient evidence* and a life history to support the claim of invalidity, and naming reliable witnesses who can give good testimony. Because the Judges must have moral certitude that a marriage is null based on the laws of the Church, no guarantees can ever be made that a declaration of nullity ("annulment") will be issued by the Tribunal until and unless they come to that decision. If the Judges do not find that you have offered compelling evidence to overturn the presumption of validity, they will rule in the negative. *A negative decision doesn't prove that the marriage is valid, it only states that the presumption of your being in a valid marriage was not legally overturned.*